

**Recommendation Report for Planning Permission for Works or Extension to a Dwelling**

**REF NO:**        **AW/7/15/HH**

**LOCATION:**    133 Aldwick Road  
                  Aldwick

**PROPOSAL:** Replacement of existing garage with two storey extension & new single storey rear extension.

**SITE AND SURROUNDINGS**

**DESCRIPTION OF APPLICATION**

Proposed two storey side extension which after amendments would have a hipped roof replacing the original flat roof design. The proposal also includes a single storey rear extension with lean-to roof form.

**SITE AREA**

490m<sup>2</sup>

**RESIDENTIAL DEVELOPMENT DENSITY**

N/A

**TOPOGRAPHY**

Predominantly flat.

**TREES**

None of any significance affected by the proposed development.

**BOUNDARY TREATMENT**

2m close boarded fencing and 3m hedges to sides.

**SITE CHARACTERISTICS**

Two storey detached property with attached side garage. The building is rough rendered with clay tiles, driveway to front and garden to rear. It bounds a empty corner plot which houses a pumping station.

**CHARACTER OF LOCALITY**

Mixed property types of detached dwellings set back from the road whilst the other side is made up of terrace properties much closer to the road. Suburban in character overall.

**RELEVANT SITE HISTORY**

BR/590/75                      Garage extension

Permit'd Devel

**REPRESENTATIONS**

**Representations received:**

Aldwick Parish Council

Parish objected to the original scheme:-

Members strongly objected to the application on the grounds that the proposed extension does not sympathetically relate to and is not visually integrated with the existing building in siting, design, form, scale and materials and because the extension is not visually subservient to the main building and because it compromises the established spatial character and pattern of the street. Therefore, Members agreed that the proposed extension is in direct conflict with Policy Dev19(i) (ii) and (v) of the Arun District Local Plan 2003 and with Aldwick Parish Design Statement 2015, Design Criteria, Area 13 p66.

However, after re-consultation following amendments no further comments were received, so it is assumed the objection remains.

**Comments on Representations received:**

Comments noted.

The two storey element of the proposal is considered to be subservient to the main dwelling as it is set back from the front of the property and following amendments has a hipped roof. As such the proposal blends well with the character of the property. It is not considered that there is an established spatial character of the road given it's varied mix of properties and given the proposal would respect the character of the existing property it is not considered to harm the appearance of the street scene or pattern of development.

**CONSULTATIONS**

**Consultations responses received:**

None

**Comments on Consultation responses:**

Comments noted.

**POLICY CONTEXT**

Designation applicable to site:

ADOPTED LOCAL PLAN  
CLASS B ROAD  
NO PUBLIC SEWER

**DEVELOPMENT PLAN POLICIES**

[Arun District Local Plan 2003:](#)    DEV19  
                                                      GEN2  
                                                      GEN7

[Publication Version of the Local  
Plan \(October 2014\):](#)

Extensions to existing residential buildings  
Built-up Area Boundary  
The Form of New Development  
D DM1 Aspects of Form and Design  
Quality  
D SP1 Design  
SD SP2 Built-Up Area Boundary

**PLANNING POLICY GUIDANCE**

NPPF

National Planning Policy Framework

**POLICY COMMENTARY**

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County

Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Angmering; Arundel; Barnham & Eastergate; Bersted; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; and Yapton.

Aldwick Neighbourhood Development Plan is currently in the process of being made and as such will not form a material consideration in relation to this application.

#### **DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

## **OTHER MATERIAL CONSIDERATIONS**

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

## **CONCLUSIONS**

### **PRINCIPLE**

The site is located within the built up area boundary. As such the principle of extending the property is acceptable.

### **DESIGN**

The two storey element of the proposal is considered to be subservient to the main dwelling as it is set back from the front of the property and following amendments has a hipped roof. As such the proposal blends well with the character of the property.

It is not considered that there is an established spatial character of the road given it's varied mix of properties and as the proposal would respect the character of the existing property it is not considered to harm the appearance of the street scene or pattern of development.

The proposed single storey rear extension is residential in appearance and modest in height and overall size, it can not be seen from the street scene so will have little impact on visual amenity.

A materials to match condition will be included to ensure external finishes to complement the existing property.

The proposal is acceptable in design terms.

### **NEIGHBOUR AMENITY**

The two storey side extension and single storey rear extension would be adjacent to an empty corner plot which houses a pumping station. As such there will be little impact on neighbour amenity.

### **PARKING**

The proposal will create a five bedroom property. As the front driveway covers the whole frontage of the site it is considered that five cars can be parked on the site. This is considered to be sufficient off road parking.

The application is recommended for conditional approval.

## **HUMAN RIGHTS ACT**

### **FOR APPROVAL**

Human Rights Act:

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European

Convention on Human Rights.

Consideration has been specifically given to Article 8 and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

**DUTY UNDER THE EQUALITIES ACT 2010**

Duty under the Equalities Act 2010

In assessing this proposal the following impacts (Neutral) have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

**RECOMMENDATION**

**APPROVE CONDITIONALLY**

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans 1169-01, 1169-02, 1169-03, 1169-04, 1169-06, 1169-07, 1169-08, 1169-09, 1169-010 received 16 January 2015 and 1169-05 A received 21/04/15.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roofs of the extensions hereby permitted shall match in colour and texture those of the existing building.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable

development, as set out within the National Planning Policy Framework.